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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA,
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

This Document Relates To:

Epic Games Inc. v. Google LLC et al., Case No.
3:20-cv-05671-JD

*In re Google Play Consumer Antitrust
Litigation*, Case No. 3:20-cv-05761-JD

State of Utah et al. v. Google LLC et al., Case
No. 3:21-cv-05227-JD

Match Group, LLC et al. v. Google LLC et al.,
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

**DEFENDANT GOOGLE'S
SUPPLEMENTAL STATEMENT
REGARDING FEBRUARY 1, 2023
MINUTE ORDER**

Judge: Hon. James Donato

1 Google submits this further response to the Court's February 1, 2023, Minute Entry, MDL
 2 Dkt. No. 440 ("February 1 Order"). The February 1 Order states: "The parties will meet and
 3 confer about which of the relevant custodians still have their history setting turned to 'off' for any
 4 of their chats, and whether Google should now change those default history settings to 'on' for the
 5 core set of relevant custodians as the parties agree."

6 In Google's February 6, 2023, response to the Court's order, Google noted that "Plaintiffs
 7 have asked Google to turn history on for all 383 employees who have received legal hold
 8 instructions in this case," and that the Court's reference to a "core set of relevant custodians" falls
 9 short of encompassing every one of the 383 employees who received a hold notice in this matter."
 10 Nonetheless, Google indicated that it would report back this week on Plaintiffs' request.

11 Google provides the following update on this issue: Google will turn the history setting to
 12 "on" for Google Chat, on an interim basis, for all 383 employees who have received a legal hold in
 13 this case. Those employees will not have the ability to change history to "off." Google will meet
 14 and confer with Plaintiffs regarding which of these 383 legal hold recipients are the "core set of
 15 relevant custodians" for which this setting should remain and then report back to the Court.

16 The parties have scheduled a meet and confer for tomorrow to attempt to resolve additional
 17 issues raised by the Court's February 1 Order. The parties will report back to the Court later this
 18 week.

19 DATED: February 7, 2023

Respectfully submitted,

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